

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FREDERICK STEWART,

Plaintiff,

VS.

PROBATION SUSP. HAMSBY, ET AL.,

Defendants.

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) CIVIL ACTION NO. 05-PWG-1089-S

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on May 9, 2006, recommending that this action filed pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1343 be dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). Despite the granting of two motions for extension of time, no objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed as frivolous.

A Final Judgment will be entered.

As to the foregoing it is SO ORDERED this the 21st day of July 2006.

Agnes Prytz Johnson

INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE